

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

STACEY MILLER,

Defendant.

ORDER

01-cr-71-bbc

Defendant Stacey Miller has written a letter asking for information about his qualification for an additional reduction in his sentence. He seems to think that he may be eligible for a reduction under 18 U.S.C. § 3582 and Amendments 706 and 711 to the Sentencing Guidelines. I construe his request as a motion for a reduction of sentence.

At sentencing, defendant was determined to be a career offender as defined in U.S.S.G. § 4B1.1(a). As a career offender, he is not affected by the 2007 amendments to the sentencing guidelines, which were intended to reduce the disparities in sentences for crack cocaine and powder cocaine. Defendant's sentence was determined by his status as

a career offender and not by drug quantity. Therefore, I must deny his motion for a sentence reduction.

ORDER

IT IS ORDERED that defendant Stacey Miller's letter request is construed as a motion for a reduction in his sentence under 18 U.S.C. § 3582 and is DENIED.

Entered this 4th day of January, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge